



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

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Mr. Francis X. Lyons
Regional Administrator
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, IL 60604-3950

Re: Request for an Attainment
Determination for Clark and
Floyd Counties, Indiana

Dear Mr. Lyons:

The purpose of this letter is to request the United States Environmental Protection Agency (US EPA) Region V office to make a determination that Clark and Floyd Counties, Indiana, have monitored attainment of the National Ambient Air Quality Standard (NAAQS) for ozone.

Clark and Floyd Counties are part of the Louisville interstate ozone nonattainment area. The 1990 Clean Air Act Amendments classified the Louisville interstate area as moderate nonattainment for the one-hour ozone standard because earlier ozone monitor readings indicated that ozone levels did not meet the health standards.

Since 1990, significant progress has been made in the nonattainment area towards achieving attainment of the ozone standard. Several new programs and new or amended rules have been implemented to reduce local and region-wide volatile organic compound (VOC) emissions. As a result, between 1990 and 2000, both the frequency and severity of one-hour ozone levels have decreased significantly.

For ozone, an area may be considered attaining the ozone standard if there are no violations, as determined in accordance with the regulation codified at 40 CFR 50.9, based on three consecutive calendar years of complete, quality assured monitoring data.

The Indiana Department of Environmental Management (IDEM) has analyzed the 1998 – 2000 ozone monitoring data for the Louisville ozone nonattainment area. Based upon the ozone monitoring data stored in the Aerometric Information Retrieval System (AIRS), which has undergone quality assurance review by the State and US EPA, the Louisville ozone nonattainment area has demonstrated attainment of the ozone standard

for the years 1998 through 2000. A data summary from AIRS is enclosed. It is our understanding that Kentucky will be submitting similar information to U.S. EPA Region IV.

IDEM has reviewed the May 1995 US EPA guidance memo, "Reasonable Further Progress, Attainment Demonstration, and Related Requirements for Ozone Nonattainment Areas Meeting the Ozone National Ambient Air Quality Standard." We understand from this guidance that US EPA can make an attainment determination under these circumstances and an attainment demonstration would no longer be required, as long as air quality continues to meet the ozone standard. IDEM has determined that the Louisville ozone nonattainment area is eligible for an attainment determination based on monitored attainment of the ozone standard, and respectfully requests US EPA to make a attainment determination for this area.

US EPA has informed IDEM that if it makes an attainment determination for Louisville, IDEM may then submit a redesignation request. US EPA also has informed IDEM that an attainment determination, combined with a redesignation request and IDEM's commitment to complete a NO_x SIP Call compliant rule, would take the place of completing the state NO_x rule referenced in IDEM's Attainment Demonstration dated November 15, 1999. IDEM intends to complete a NO_x SIP Call rule by mid-2001 in lieu of the state NO_x rule. IDEM also intends to prepare a redesignation request for this area, in cooperation with the Commonwealth of Kentucky, and to submit a draft along with a request for parallel processing by January 30, 2001.

If you have any questions or need additional information, please contact Janet McCabe, Assistant Commissioner of the Office of Air Management at 317-232-8222.

Sincerely,



Lori F. Kaplan
Commissioner

Enc.

cc: Bharat Mathur
Jay Bortzer
Ryan Bahr
Art Williams
John Hornback
Kay Prince